

FIFTY-SEVENTH DAY

(Thursday, April 30, 1959)

The Senate met at 10:30 o'clock, a.m., pursuant to adjournment, and was called to order by Senator Hardeman.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Parkhouse

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, we would not be as the hypocrite who prayed long prayers to be heard of men, but like the publican standing afar off, we pray, 'God be merciful to me a sinner.' Teach us how to pray, but first of all teach us how to live. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Parkhouse was granted leave of absence for today in order that he might discharge his duties as Governor for the day on motion of Senator Weinert.

Senate Resolution 482

Senator Colson offered the following resolution:

Whereas, We are honored to have in the gallery of the Senate, the Senior Class of the Centerville High

School, Centerville, Leon County, Texas, accompanied by Mr. Bill Bitner, their Superintendent, and Mr. Homer Coleman; and

Whereas, The presence of these young people is evidence of their interest in better citizenship and governmental affairs. They are seeking to broaden their knowledge and experience by a visit to the State Capitol and other places of interest in the Capital City; and

Whereas, We are delighted that these fine young American citizens are here to observe governmental processes in action; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed and bearing the official seal of the Senate, be mailed to them in recognition and appreciation of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 718 by viva voce vote.

S. B. No. 220, Amending Article 614 of the Penal Code of Texas, relating to persons engaging in roping contests; and declaring an emergency. (With amendment)

H. C. R. No. 90, Suspending the Joint Rules.

H. C. R. No. 113, Suspending the Joint Rules.

H. C. R. No. 106, Suspending Joint Rule 9A to consider House Bill No. 97.

H. C. R. No. 109, Directing the Enrolling Clerk of the House to amend the caption to conform to the body of House Bill No. 110.

H. B. No. 152, A bill to be entitled "An Act amending Section 6 of Article 3883i, Revised Civil Statutes of Texas, 1925; Acts 1955, 54th Legislature, page 1137, Chapter 427, Section 6, by adding thereto the office of Veterans County Service Officer, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 364, A bill to be entitled "An Act amending Section 83, the Texas Mental Health Code, Acts Fifty-fifth Legislature, 1957, Chapter 243, page 505; providing for judicial restoration of persons previously adjudged mentally incompetent; providing a severability clause and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act amending Section 2 of House Bill 495, Chapter 309, Acts of the 53rd Legislature, 1953, providing for an increase in the jurisdiction of the Small Claims Court; repealing all laws and parts of laws in conflict with this Act; declaring that the unconstitutionality of any part of this Act shall not affect the remainder thereof; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act creating a permanent Judicial District Court to be known as the 146th Judicial District Court of Texas, composed of Lampasas, Mills and Bell Counties; providing for the terms of court and the Judge and officers of said court; containing provisions to facilitate the incorporation of this new Judicial District in the counties covered; repealing all laws in conflict; providing for severability; and declaring an emergency."

H. B. No. 237, A bill to be entitled "An Act amending Chapter Seven, Articles 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133 and 135, and Repealing Articles 120 and 134 of the Revised Civil Statutes of Texas, 1925, dealing with inspection of Nurseries, Florists, Florist items, Nursery Stocks, Nursery products, cut flowers, and allied products; defining duties of Commissioner of Agriculture in connection therewith; providing for abatement of nuisance, giving of notice; providing treatment

or destruction; right of appeal; penalty for violation; expense of treatment; examination and issuance of certificate; use of certificate in connection with sale or shipment; who may revoke certificate; liability as to transportation companies and unlawful shipments; provides for appointment of Chief Inspector, and establishment, collection, and distribution of fees; definitions; providing a saving clause; and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act amending Section 370 of the Texas Probate Code, as amended, so as to more clearly define and make more certain the law pertaining to the execution of collateral instruments as to mineral leases, pooling and unitization agreements without a court order; and declaring an emergency."

H. B. No. 546, A bill to be entitled "An Act providing for the granting and issuance of surface leases to certain persons, firms or corporations by the Commissioner of the General Land Office on any island, salt water lake, bay, inlet or marsh within tidewater limits and that portion of the Gulf of Mexico within the jurisdiction of the State of Texas for any purpose essential to the establishment, maintenance or operation of any business or venture which serves the tourist trade or serves to promote entertainment, recreation or sport; providing for the construction of buildings and facilities by the holder of an easement or surface lease with title to vest in the State upon termination of the easement or surface lease; providing that the price at which such land may be leased shall be determined by the School Land Board; defining the terms of such leases; providing that before such a lease may be executed, it must be approved by the Commissioners' Court of the county in which the area to be leased is situated; providing that the State shall reserve all mineral rights or any lands as leased; providing that when surface leases are granted hereunder any subsequent oil, gas and mineral leases shall allow reasonable ingress, egress and development on the part of the oil, gas and mineral lessee with such lessee to be held liable to the surface lease for any damages caused by mineral development; and declaring an emergency."

H. B. No. 316, A bill to be entitled

"An Act to amend Article 4619 of the Revised Civil Statutes of Texas, 1925 (Acts 1840, p. 3; G. L. vol. 2, p. 177; Acts 1913, p. 61; Acts 1927, 40th Leg., p. 219, ch. 148), to add thereto a new section No. 6 so as to provide that married women shall have the control, management and disposition of their contracts of life insurance or annuity, subject to nullification of the provisions of this act by the husband by notice to the insurance company."

H. B. No. 398, A bill to be entitled "An Act amending Chapter 344, Acts of the Forty-ninth Legislature, 1945, as amended, codified as Article 46 c-6, Vernon's Revised Civil Statutes, by adding a new Subdivision so as to provide for the regulation of parachuting activities in state educational institutions of collegiate rank under rules prescribed by the State Aeronautics Commission, and declaring an emergency."

H. B. No. 538, A bill to be entitled "An Act regulating the size and taking of certain fish in the waters of this State; providing a penalty for violation of this Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 556, A bill to be entitled "An Act defining 'dangerous drugs'; regulating the possession, handling, sale, obtaining, and distribution of 'dangerous drugs'; providing for injunction to prevent violations; providing penalties for violation; providing for severability; repealing Article 726b of the Penal Code, Acts of 1949, 51st Leg., p. 912, ch. 490, as amended Acts of 1955, 54th Leg., p. 1026, ch. 385, Sec. 3; repealing Article 726c of the Penal Code, Acts of 1951, 52nd Leg., p. 758, ch. 413, as amended Acts of 1955, 54th Leg., p. 1215, ch. 486, Sec. 3 and Sec. 6; Acts of 1955, 54th Leg., p. 1026, ch. 385, Sec. 2, and all laws in conflict herewith, and declaring an emergency."

H. B. No. 568, A bill to be entitled "An Act amending Article 1538 of the Penal Code of the State of Texas, 1925, by extending its terms to include a trustee, and providing that if a trustee shall unlawfully and with intent to defraud any beneficiary or settlor of a trust, convert the same or any part thereof to his own use, he shall be punished as provided in cases of theft; and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act amending Article 177 of the Code of Criminal Procedure of the State of Texas, 1925, by extending its terms to include a trustee, and providing that an indictment for theft or conversion of any estate by a trustee with intent to defraud any beneficiary or settlor of a trust may be presented within ten (10) years from the time of the commission of the offense, and declaring an emergency."

H. B. No. 597, A bill to be entitled "An Act amending Section 4 of the Public Accountancy Act of 1945, as amended (codified as Article 41a, Vernon's Texas Civil Statutes) so as to increase to six (6) years the terms for members of the Texas State Board of Public Accountancy; providing that present members of said Board shall serve out the two year terms for which they were appointed; providing that after the expiration of such two year terms, the first appointments of board members shall be for terms of two, four and six years respectively, so that terms of one-third ($\frac{1}{3}$) of the Board will expire every two (2) years; and declaring an emergency."

H. B. No. 617, A bill to be entitled "An Act relating to the posting of a cash bond by parents or other person having custody of a delinquent child to assure the compliance of the terms of probation set by the Juvenile Court; and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act amending paragraph 3 of Section 1, Article 3.04 of Chapter 3 of the Insurance Code of Texas (Acts of 1951 of the 52nd Legislature as amended by Senate Bill 203 of the 55th Legislature, 1957, Chapter 122) pertaining to the conditions required to be met as a prerequisite to the granting of a charter and the organization of life, health, and accident insurance companies; prescribing the affidavit required to be made by two or more of the incorporators, and providing that the State Board of Insurance may require other and additional evidence as a prerequisite to action by the State Board of Insurance; repealing all laws or parts of laws in conflict; and declaring an emergency."

H. B. No. 636, A bill to be entitled "An Act defining the term dental technician and dental laboratory; providing that the State Board of

Dental Examiners shall administer the provisions of this Act; providing for an Advisory Board; providing for names to be submitted to the Board; prohibiting certain persons from serving on the Advisory Board; providing it shall be unlawful for persons, dental technicians, or dental laboratories to act as such without complying with the provisions of this Act; providing for prescriptions as a prerequisite to authority; providing for the keeping of prescription records and permitting farm-out work to proper persons; providing for application for registration for dental technicians and dental laboratories and the owners and managers thereof; providing for the exemption and permitting registration of dental technicians and the owners and managers of dental laboratories within ninety days after the effective date of this Act; providing for annual registration and annual registration fees of dental technicians and owners and managers of dental laboratories; providing that the lack of the required certificate or its display as required by this Act shall subject such person to penalties provided by this Act; providing for reinstatement of delinquent registrants and exemption of registrants on active duty with the Armed Forces of the United States of America; providing for the collection, safekeeping, and disposition of all money collected under this Act; providing for the power to refuse to issue or renew any certificate issued under this Act; providing for the cancellation or suspension of any certificate issued under this Act; providing for the procedure in suspending or cancelling any certificate under this Act; providing for the power of subpoena of witnesses and records; providing for appeal to the District Court from the ruling of the Board; providing for the keeping of records of those required to register under this Act; providing for certain exemptions from the provisions of this Act; providing for the inspection of records of dental technicians and dental laboratories; providing for injunction proceedings; providing for a penalty for violating the provisions of this Act; providing for acceptance of accomplice testimony; providing for a repealing clause; providing for a severability clause; declaring legislative intent to protect public health and welfare; and declaring an emergency."

H. B. No. 640, A bill to be entitled

"An Act to amend Section 3 of Chapter 76 of the Acts of the 43rd Legislature, First Called Session, 1933, to provide the manner of incorporating water supply or sewer service corporations authorized by said Chapter 76; with provisions relative to Directors of said corporations; naming of them, their number, their terms of office and their election; providing a severability clause; and an emergency clause."

H. B. No. 685, A bill to be entitled "An Act amending Section 2, Chapter 368, Acts 1957, 55th Legislature, Regular Session, creating Bistone Municipal Water Supply District, so as to make certain the boundaries of said District and validating said district and the proceedings heretofore had in connection with its organization; enacting other matters relating to the subject and declaring an emergency."

H. B. No. 686, A bill to be entitled "An Act amending Section 1 of Chapter 96, Acts of the 54th Legislature, 1955, so as to extend the hunting season on wild buck deer to a fifteen-day period in Panola County; and declaring an emergency."

H. B. No. 692, A bill to be entitled "An Act providing an open season for hunting wild buck deer, wild turkey gobblers and collared peccary or javelina, in Justice Precinct No. 1 in Kenedy County; providing a bag limit for said precinct in said county; providing a penalty for the violation of this Act; and repealing Chapter 48, Acts of the First Called Session of the Fifty-third Legislature, 1954; and declaring an emergency."

H. B. No. 717, A bill to be entitled "An Act amending Section 72 of the Texas Probate Code, Chapter 55, Page 88, of the Acts of the 54th Legislature, 1955, to provide for administration of estates of persons whose deaths shall be proved by circumstantial evidence satisfactory to the court but concerning whose death there is no direct evidence; providing for limitation of liability of the representatives of such estates and of others who shall deal with such representatives acting under orders of the court; providing for restoration of the remaining estate of such persons if proved to be living; providing for restoration of proceeds of sale of property sold to bona fide purchasers for value; providing for liability on the bond of

representatives; repealing all laws in conflict therewith; and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, Constitution of Texas, to be known as 'Bell County Improvement District'; defining the boundaries of the District; finding field notes and boundaries form a closure and related matters; providing for a governing body of the District, providing for qualifications and bonds of directors and first board of directors, providing for terms and election of directors and provisions for failure to hold director elections; providing for appointment of directors to fill vacancies; providing for fees of directors, providing for organization of board of directors; providing for employment of engineers, attorneys, and other employees; conferring upon the District the rights, powers, privileges and duties of the General Laws of Texas governing water control and improvement districts where not in conflict with this Act; finding a benefit to all land and other property within District; providing District is created to serve public use and benefit; providing for no election for confirmation and no hearings for exclusions; adopting the ad valorem plan of taxation for the District; exempting property of the District and the bonds of the District from taxation; providing for certain matters pertaining to eminent domain and providing District to bear the expense of relocating, raising, or re-routing of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing for the issuance of negotiable interest bearing bonds and refunding bonds secured by ad valorem taxes, net revenues or by both ad valorem taxes and net revenues; providing for bonds and refunding bonds to be approved by the Attorney General and registered by the Comptroller and providing for incontestability and negotiability of such bonds and refunding bonds; prescribing powers of District; providing for method and manner of issuing bonds and refunding bonds; defining terms; providing for pledges of revenues; providing for bond proceeds use; providing for sale of bonds; providing for investments of bond proceeds; providing for receiver; providing for bond election; making bonds

eligible investments; providing for depository; authorizing District to buy and sell water within and without District; providing for parks and recreational facilities; providing for certain provisions for construction contracts; enacting other provisions related to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 744, A bill to be entitled "An Act authorizing the County Attorney of Midland County, Texas, with approval of the Commissioners' Court of said county, to employ stenographers, assistants and special investigators; prescribing their compensation, qualifications, powers, duties, authority, and method of employment; authorizing the Commissioners' Court to furnish automobiles, telephones, typewriters, office furniture, supplies and other items and equipment, travel expenses, and other necessary expenses of the County Attorney's office; empowering the Commissioners' Court of said county to require bond of said stenographers, assistants and special investigators; repealing laws in conflict; providing a severability clause; and declaring an emergency."

H. B. No. 754, A bill to be entitled "An Act amending Article 3.28 of the Insurance Code of the State of Texas so as to permit the use after December 31, 1959, of the Commissioners 1958 Standard Ordinary Mortality Table with adjustments for female risks; also amending Section 7, of Article 3.44 relating to the use of such Commissioners 1958 Standard Ordinary Mortality Table with adjustments for female risks; providing a severability clause; and declaring an emergency."

H. B. No. 767, A bill to be entitled "An Act relating to the appointment in certain counties by the county and district judges of court bailiffs; and declaring an emergency."

H. B. No. 782, A bill to be entitled "An Act establishing a three-year statute of limitations on suits involving freight charges on property transported by carriers for compensation or hire within the State of Texas."

H. B. No. 783, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution of Texas, comprising certain territory

contained in Sabine County, Texas, to be known as Pineland Municipal Water Supply District; constituting the same a governmental agency and body politic and corporate and a municipal corporation; defining the boundaries thereof and finding that all land and property therein will be benefitted and that no election shall be necessary to confirm the organization of the district nor shall hearings be held for the exclusion of land or other property; providing that no hearings shall be held on a plan of taxation but that the ad valorem plan shall be used; prescribing the rights, powers, privileges and duties of said district and incorporating the General Law pertaining to water control and improvement districts not in conflict or inconsistent with the provisions of this Act; providing for a Board of Directors, their terms, the filling of vacancies, the election of successors, and prescribing the duties and qualifications for such directors; prescribing the purpose for which bonds may be issued; the methods of securing the payment and the procedure for the issuance of such bonds; requiring all bonds except refunding bonds to be approved by the resident qualified property taxpaying voters whose property has been duly rendered for taxation and providing terms and conditions for such bonds and the sale thereof; prescribing the manner in which such election shall be called, held and notice thereof given, exempting the district's bonds from taxation; providing that the district shall have the power to fix rates and charges for services furnished; making applicable to the districts Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and providing that the cost of relocation, raising, re-routing, or changing the grade or altering the construction of any highway, railroad, electric transmission line or telegraph properties and facilities shall be borne by district; providing that bonds of the district shall be authorized investments in certain instances and shall be eligible to secure the deposit of certain funds; declaring the district essential; enacting provisions incident and relating to the subject; providing a severance clause; and declaring an emergency."

H. B. No. 810, A bill to be entitled "An Act amending Section 1 of Chapter 493, page 1425, Acts of the 55th Legislature, Regular Session, 1957, (Art. 21.47 Vernon's Annotated

Texas Statutes, Insurance Code, as amended) by requiring every report, statement, certificate, affidavit or other document required by or under any provision of the Insurance Code or Rules and Regulations of the State Board of Insurance to be acknowledged, sworn to, or made under oath, and to be filed or deposited with the State Board of Insurance or the Commissioner of Insurance, to be verified by written declaration under penalties of perjury; prescribing the form of verification; and amending Section 2, of Chapter 493, page 1425, Acts of the 55th Legislature, Regular Session, 1957, (Art. 21.48, Vernon's Annotated Texas Statutes, Insurance Code, as amended) by providing penalties as against any person who willfully makes such verification as to matters which are not true in every material matter, or who willfully aids or assists in, or procures or counsels, or advises the preparation thereof as to matters which are fraudulent, false or incorrect in any material way, or who simulates or falsely or fraudulently executes or signs any such report, statement, certificate, affidavit or other document required by or under any provision of the Insurance Code or Rules and Regulations of the State Board of Insurance to be acknowledged, sworn to or made under oath, or who aids in, or connives in the execution thereof; declaring that a violation thereof shall be a felony, and upon conviction therefor, punished by fine and imprisoned in the penitentiary; providing a saving clause; and declaring an emergency."

H. B. No. 888, A bill to be entitled "An Act validating under certain conditions, proceedings relating to the adoption of home rule charters; validating the charters so adopted and providing that such charter so adopted shall constitute the home rule charter of the city; validating elections held for the election of members of the governing bodies of the city and their assumption of office; validating acts of city officers and officials; providing that this Act shall not be construed as validating the adoption of any charter or the charter so adopted if the validity of the charter adoption proceedings or of the charter are involved in litigation on the effective date of this Act and such litigation is ultimately determined against the validity thereof; provid-

ing a savings clause; providing a severability clause; and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act amending Article 3.16 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491, as amended by the Acts of the 1957, 55th Legislature, Chapter 344, Section 2) relating to deposits of securities or lawful money of the United States or conveyance of real estate in trust in an amount equal to the legal reserve of all of the outstanding policies in force of any life insurance company; amending Article 3.17 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491) relating to what deposits made under Article 3.16 of Chapter 3 of the Insurance Code may include; amending Article 3.18 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491), relating to the effect and value of deposits and amount of legal reserve; repealing Article 3.19 of Chapter 3 of the Insurance Code (Acts of the 1951, 52nd Legislature, Chapter 491) relating to fees for making deposits; repealing conflicting laws and parts of laws to the extent of such conflict; containing a savings clause; and declaring an emergency."

H. B. No. 830, A bill to be entitled "An Act to create the Mill Creek Water Control and Improvement District as a conservation and reclamation district in Austin and Washington Counties under the provisions of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions, and procedures for the district, including the right to participate in the organization of subordinate districts to carry out the function of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

H. B. No. 829, A bill to be entitled

"An Act authorizing the Commissioners Court in certain counties to allow each member of the County Commissioners Court to each purchase and maintain an automobile or a pickup truck for use by each member in connection with official business; providing the funds from which the cost of same shall be paid; and declaring an emergency."

H. B. No. 838, A bill to be entitled "An Act relating to the authority of the Commissioners Court of each County to adopt a plan to provide hospitalization insurance to any or all county employees; and declaring an emergency."

H. B. No. 878, A bill to be entitled "An Act to authorize general law cities, towns and villages to vacate and abandon certain dedicated streets and alleys upon petition of all persons owning any land abutting thereon; providing a severability clause; and declaring an emergency."

H. B. No. 921, A bill to be entitled "An Act enlarging Fort Bend County Water Control and Improvement District, No. 2 and defining the boundaries thereof, as enlarged, finding a benefit and public use; providing for calling and holding an assumption of indebtedness election or elections; permitting future addition or annexation of land to such District as provided by law; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 944, A bill to be entitled "An Act to create the Valley Creek Water Control District as a conservation and reclamation district in portions of Nolan, Runnels and Taylor Counties under the provisions of Article XVI, Section 59, of the Constitution of Texas; prescribing the duties, powers, functions, and procedures of the district; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the district; providing for a governing body and prescribing its duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the district; providing severability; and declaring an emergency."

H. B. No. 954, A bill to be entitled "An Act creating a juvenile board

for Gray County and designating the Chairman thereof; providing additional compensation for County and District Judges serving thereon; stating the effect of this Act on existing laws; and declaring an emergency."

H. B. No. 956, A bill to be entitled "An Act providing that it shall be lawful to take, capture, shoot, or kill collared peccary or javelina in Karnes County, Texas, at any time, but that it shall be unlawful to have or take any collared peccary or javelina for the purpose of barter or sale, or to sell or offer for sale any collared peccary or javelina, or any part of same; providing penalties for violations; and declaring an emergency."

H. B. No. 925, A bill to be entitled "An Act providing for County Juvenile Boards in each county comprising the 81st Judicial District; providing for compensation of members of the Boards; providing compensation allowed County Judges hereunder shall not be counted as fees of office; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a saving clause; and declaring an emergency."

H. B. No. 945, A bill to be entitled "An Act authorizing the State Board of Health to sell a certain tract of land owned by the State of Texas located in the County of Rusk; stating the purposes for which proceeds of the sale may be expended; and declaring an emergency."

H. B. No. 950, A bill to be entitled "An Act amending Senate Bill 32, Acts of the 55th Legislature, State of Texas, Regular Session, 1957; so as to change sub-section (e) of Section 9 of such Act and providing that eggs shall not be labeled as 'fresh' which have been held under refrigeration for a period of sixty (60) days or more; and declaring an emergency."

H. B. No. 941, A bill to be entitled "An Act relating to an additional tax for common school districts in certain counties; and declaring an emergency."

H. B. No. 946, A bill to be entitled "An Act amending Chapter 106, Acts of the 54th Legislature, Regular Session, 1955, which is codified as Article 5139j, of Vernon's Annotated

Civil Statutes of the State of Texas, relating to juvenile boards in Harrison and Rusk Counties; and declaring an emergency."

H. B. No. 952, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 100th Judicial District of Texas; fixing maximum and minimum salary to be paid in addition to compensation for transcripts, statement of facts and other fees; and fixing allowance for travel and hotel expense; providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 483

Senator Fly offered the following resolution:

Whereas, On this thirtieth day of April, 1959, our esteemed colleague, the Honorable George Parkhouse, Senator from the Eighth District and President Pro Tempore of the Senate, has this day been elevated to the high and distinguished office of Governor of Texas by reason of the absence from the State of the Governor and the Lieutenant Governor; and

Whereas, The Honorable George Parkhouse has served his State with distinction both in the House of Representatives and in the Senate of Texas; now, therefore, be it

Resolved, That we, his colleagues, extend to him our warmest congratulations on the great honor which he today deservedly enjoys and to his wife, the charming Dora Parkhouse and to his two fine sons, Jack and Jerry Parkhouse; and be it further

Resolved, That a copy of this resolution be suitably inscribed and presented to Governor and Mrs. Parkhouse.

HARDEMAN
FLY

Signed—Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Special Notice Given on Senate Bill 216

Senator Hazlewood gave Special Notice that he would on tomorrow move to suspend the rules to take up for consideration S. B. No. 216.

Senate Resolution 484

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th and 8th Grades of San Marcos Junior High School, San Marcos, Hays County, Texas, accompanied by their teachers and sponsors, Mr. P. Howard, Mrs. Ewing, Mr. Ammerman, Mrs. Breeding; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Senate Resolution 485

Senator Colson offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, the Honorable Kirby Kelly of Shepherd, San Jacinto County, Texas, former

member of the House of Representatives; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented Mr. Kelly to the Members of the Senate.

House Concurrent Resolution 113 on Second Reading

On motion of Senator Martin and by unanimous consent the Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 113, Suspending Joint Rules to consider H. J. R. No. 39 at any time.

The resolution was read and was adopted.

Senate Resolution 486

Senator Lane offered the following resolution:

Whereas, We are honored today to have as visitors Dr. J. R. Cromwell of Logansport, Louisiana, and Mr. C. M. McKinley of Houston, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and that they be extended the privileges of the floor for today.

The resolution was read and was adopted.

Senator Lane by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 487

Senator Herring offered the following resolution:

Whereas, We are honored today to

have in the gallery of the Senate, the Civics class of the William B. Travis High School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Willard Nitschke; and

Whereas, These students of today are the citizen, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and their teacher to the Members of the Senate.

Senate Resolution 488

Senator Hudson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the A Capella Choir of Brownsville High School, accompanied by their sponsors, Mr. C. C. Norris, Director and Supervisor of Music, and Mrs. Bill Hart, Assoc. Director; and

Whereas, These students of today are the citizens, leaders and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Hudson by unanimous consent presented the Members of the Choir and their sponsors to the Members of the Senate.

Senate Resolution 489

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, students of the seventh and eighth grade classes of the Bardwell School, accompanied by their teacher, Mrs. C. R. Meharg; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and Mrs. Meharg to the Members of the Senate.

Reports of Standing Committees

Senator Lane submitted the following reports:

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 440, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. H. B. No. 440 was read the first time.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 282, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 469, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 21, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Weinert submitted the following reports for Senator Hardeman:

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred H. B. No. 18, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 840, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 584, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. 704, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 377, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Phillips submitted the following reports:

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 475, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 467, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PHILLIPS, Chairman.

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred S. B. No. 78, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute do pass in lieu thereof and be printed.

PHILLIPS, Chairman.

C. S. S. B. No. 78 was read the first time.

Senate Resolution 491

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, sixty pupils of the Campus Elementary School, San Marcos, Hays County, Texas, accompanied by their sponsor, Mrs. Collier of Martindale; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and Mrs. Collier to the Members of the Senate.

Senate Bill 467 Ordered Not Printed

On motion of Senator Fly and by unanimous consent S. B. No. 467 was ordered not printed.

Senate Resolution 492

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Northside District 6th and 7th Grades of Lackland Elementary School, accompanied by their teacher and sponsor, Mr. C. O. Glass, Principal; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students and their principal to the Members of the Senate.

Senate Resolution 493

Senator Smith offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Tie Davis and Mrs. Edwin Beran of Dallas, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and be allowed the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented the guests to the Members of the Senate.

House Bill 18 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. No. 18 was ordered not printed.

Senate Resolution 494

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Seventh and Eighth Grade classes of Brookesmith School, Brown County, Texas, accompanied by their super-

intendent, Mr. W. C. Dillingham, Mrs. J. W. Adams, Mrs. Bill Lee, Mrs. R. L. Estess, Mrs. C. A. Seymour, and their teacher, Mrs. Zena Gallaway; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Reports of Standing Committee

Senator Wood submitted the following reports:

Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOOD, Chairman.

Austin, Texas,
April 29, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 41, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOOD, Chairman.

House Concurrent Resolution 90 on Second Reading

The Presiding Officer laid before

the Senate on its second reading the following resolution:

H. C. R. No. 90, Suspending Joint Rules to consider H. B. No. 158 and S. B. No. 474.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Record of Votes

Senators Moore and Moffett asked to be recorded as voting "Nay" on the adoption of the above resolution.

House Concurrent Resolution 109 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 109, Suspending Joint Rules to consider H. B. No. 110.

The resolution was read.

On motion of Senator Owen and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 495

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Sophomore Class of the Sealy High School accompanied by their sponsors, Mrs. Billie Prielbisch, Mrs. Joe Walters, and Mr. Bill Hall; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, and interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and their sponsors to the Members of the Senate.

Senate Bill 197 with House Amendments

Senator Fly called S. B. No. 197 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fly moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	

Nays—2

Roberts	Willis
---------	--------

Absent

Wood

Absent—Excused

Parkhouse

Senate Concurrent Resolution 67

Senator Baker offered the following resolution:

S. C. R. No. 67, Suspending Joint Rules to permit the House and Senate to consider H. B. No. 436 at any time.

Be it Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the joint rules of both Houses be suspended and they are hereby suspended to allow either House to take up House Bill 436 at any time.

The resolution was read.

On motion of Senator Baker and by unanimous consent the resolution was considered immediately and was adopted.

House Bill 729 on Third Reading

The Presiding Officer laid before the Senate on its third reading and final passage the following bill:

H. B. No. 729, A bill to be entitled "An Act amending portions of the Texas Liquor Control Act; amending Sub-section (7) of Section 3-a of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, to more clearly define the term 'Premise'; and declaring an emergency."

The bill was read third time and was passed.

Record of Votes

Senators Martin, Moffett, Wood, Dies, Aikin, Ratliff, Bradshaw, Lane, Rogers, Willis, Smith, Phillips, Baker and Reagan asked to be recorded as voting "Nay" on the final passage of H. B. No. 729.

Motion to Place

House Bill 101 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business and take up H. B. No. 101 for consideration at this time.

There was objection.

Senator Moffett then moved to suspend the regular order of business and take up H. B. No. 101 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present).

Yeas—18

Aikin	Hudson
Baker	Moffett
Bradshaw	Moore
Colson	Ratliff
Fly	Roberts
Fuller	Secrest
Hardeman	Smith
Hazlewood	Weinert
Herring	Wood

Nays—10

Crump	Gonzalez
Dies	Kazen

Krueger	Phillips
Lane	Reagan
Martin	Willis

Absent

Owen Rogers

Absent—Excused

Parkhouse

Senate Resolution 496

Senator Aikin offered the following resolution:

Whereas, James Rhendasil, County Commission of Precinct One of Lamar County, James Oxford, manager of the Paris and Lamar County Chamber of Commerce, J. P. Peace, Commissioner of Precinct 4 of Lamar County, and Frank Stone, superintendent of Powderly Public Schools, and J. S. Sharp, member of the State Soil Conservation Board, are visitors at the Capitol today; and

Whereas, The Senate is delighted to have these distinguished citizens as our guests; now, therefore, be it

Resolved, That they be extended a hearty welcome of the Senate.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 497

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th grade of the Brenham Elementary School, accompanied by their teachers, Miss Lina Curtiss, Mr. Harold Rudloff and Mrs. Kathyrine Jones; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these

students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and their teachers to the Members of the Senate.

House Bill 273 on Second Reading

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 273, A bill to be entitled "An Act concerning suits for compensation for real estate brokerage services; amending House Bill 17, Acts of the 46th Legislature, 1939 as amended; and declaring an emergency."

The bill was read second time.

Senator Willis offered the following amendment to the bill:

Amend H. B. 273 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 19 of The Real Estate License Act, House Bill No. 17, Acts of the Forty-sixth Legislature, 1939, which was last amended and renumbered by Section 1, Chapter 383, Acts of the Fifty-fourth Legislature, 1955, is amended so as to read as follows:

'Section 19. No person or company may bring or maintain any action for the collection of compensation for the performance in this State of any of the acts set out in Subdivision (1) of Section 4 hereof without alleging and proving that the person or company performing the brokerage services was a duly licensed Real Estate Broker or Salesman at the time the alleged services were commenced.'

"Section 2. Nothing herein shall affect any cause of action which arose prior to the effective date of this act.

"Section 3. The conflicts in the present law create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is

hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

**HARDEMAN
WILLIS**

The amendment was adopted.

Senator Willis offered the following amendment to the bill:

Amend H. B. 273 by striking all above the enacting clause and substituting in lieu thereof the following:

"A BILL
to be entitled

An Act concerning suits for compensation for real estate brokerage services, amending House Bill No. 17, Acts of the Forty-sixth Legislature, 1939, as amended; providing that nothing herein shall affect any cause of action arising prior to the effective date of this act; and declaring an emergency."

**HARDEMAN
WILLIS**

The amendment was adopted.

The bill as amended was passed to third reading.

House Bill 273 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 273 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Phillips
Crump	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—1

Dies

Absent

Fly Hudson

Absent—Excused

Parkhouse

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Dies asked to be recorded as voting "Nay" on the final passage of H. B. No. 273.

House Bill 18 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 18, A bill to be entitled "An Act providing for bonding State officers and employees; prescribing the terms and conditions of such bonds; providing for the payment of premiums; prescribing the powers and duties of the State Board of Insurance, State Auditor, the Attorney General, and other agencies of the State; defining terms; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 18 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 18 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Baker	Herring
Bradshaw	Hudson
Colson	Kazen
Crump	Krueger
Dies	Lane
Fly	Martin
Fuller	Moffett
Gonzalez	Moore
Hardeman	Owen

Phillips	Secrest
Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood

Absent—Excused

Parkhouse

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Parkhouse

Motion to Re-refer Senate Bill 468

Senator Owen asked unanimous consent to withdraw S. B. No. 468 from the Committee on State Affairs and be re-referred to the Committee on Counties, Cities and Towns.

There was objection.

House Bill 242 on Second Reading

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 242, A bill to be entitled "An Act providing for the use of photographic, photostatic, microfilm or other accurately reproduced copies of original writing or written instruments in any judicial or administrative proceeding or trial where the original is produced at the time it is offered in evidence or is accounted

for where there is no bona fide dispute as to the copy's accuracy."

The bill was read second time and passed to third reading.

House Bill 242 on Third Reading

Senator Gonzalez moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Parkhouse

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 636, To the Committee on Public Health.

Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Public

Health, to whom was referred H. B. No. 636, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass.

COLSON, Chairman.

C. S. H. B. No. 636 was read the first time.

House Bill 636 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 636 was ordered not printed.

Senate Bill 468 Re-referred

On motion of Senator Owen and by unanimous consent S. B. No. 468 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
April 30, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 468, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 479 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Crump:

S. B. No. 479, A bill to be entitled "An Act granting additional powers to Mills County Water Control and Improvement District Number One in Mills County, Texas; stating the effect of this Act; authorizing a special

procedure for excluding lands from the District; authorizing and providing for ad valorem taxes for works, plant and facilities, and for maintenance, operation and administration of the District, and that all taxes shall constitute a lien and not be barred by limitations; making provisions relative to the exercise of the power of eminent domain, validating the organization and confirmation of the District; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Adjournment

Senator Martin moved that the Senate stand adjourned until 10:30 o'clock a.m. Monday, May 4, 1959.

Question on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—15

Baker	Lane
Bradshaw	Martin
Crump	Moffett
Dies	Phillips
Fly	Roberts
Hardeman	Rogers
Hudson	Weinert
Kazen	

Nays—13

Aikin	Owen
Colson	Ratliff
Gonzalez	Reagan
Hazlewood	Secrest
Herring	Willis
Krueger	Wood
Moore	

Absent

Fuller	Smith
--------	-------

Absent—Excused

Parkhouse

Accordingly, the Senate at 12:07 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, May 4, 1959.

In Memory of
Judge Richard Critz

Senator Herring offered the following resolution:

(Senate Resolution 480)

Whereas, In the passing of Judge Richard Critz on the first day of April, 1959, the State of Texas lost a prominent citizen and distinguished jurist; and

Whereas, He was born in Starkville, Mississippi, on October 16, 1877, the son of George Edward and Ella Critz, and moved to Texas with his parents in his early youth; and

Whereas, Judge Critz attended Southwestern University in Georgetown, Texas, and, while a teacher in the public schools of Williamson County, he studied law and was admitted to the Texas Bar in 1902; and

Whereas, He became County Judge of Williamson County in 1910, serving until 1918, and moved to Austin in 1927 following his appointment by Governor Dan Moody as a member of the Commission of Appeals to the Texas Supreme Court and served as a commissioner until 1935; and

Whereas, Judge Critz was named by Governor James V. Allred as an Associate Justice of the Texas Supreme Court and served with great distinction until his retirement in 1945; and

Whereas, Judge Critz was a public servant in several judicial capacities for more than a quarter century and will be long remembered by all who were privileged to be associated with him; and

Whereas, He is survived by his widow; one daughter, Mrs. J. T. Atkin of Georgetown, Texas; two sons, James Critz of Fort Worth, Texas, and C. E. Critz of Andrews, Texas; one sister, Mrs. George Kolb of Sherman, Texas; and

Whereas, It is the desire of the Senate of the Fifty-Sixth Legislature of the State of Texas to pay tribute to the memory of this outstanding citizen; now, therefore, be it

Resolved, That when the Senate adjourns today, it do so in his memory and that a page in the permanent Journal of the Senate be devoted to the recording of this Resolution; and, be it, further

Resolved, That an enrolled copy of this Resolution be sent to all surviving members of his family as a token of respect and sympathy.

HERRING

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Secrest and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.

In Memory of
E. H. Eanes

Senator Herring offered the following resolution:

(Senate Resolution 481)

Whereas, In the passing of E. H. Eanes on the thirtieth day of March, 1959, the people of Williamson County suffered the loss of one of their most outstanding citizens; and

Whereas, E. H. Eanes was a native Texan and was born in Austin on January 16, 1880, moving to Georgetown in 1902 where he made his home since that time; and

Whereas, E. H. Eanes received his education at Southwest Texas State College in San Marcos and Southwestern University in Georgetown; and

Whereas, He was president of the First National Bank of Georgetown, an institution he had been associated with for the past half a century, and was president of the Georgetown Building and Loan Association; and

Whereas, E. H. Eanes was a member of the Odd Fellows Lodge and the Masonic Lodge, having held high offices in both of these fraternal organizations, and was a past president of the Third District of the Texas Bankers Association and the Georgetown Chamber of Commerce, and was a member of the Lions Club and the First Methodist Church; and

Whereas, The many contributions which this public spirited citizen made to his community will be long remembered by the people of Williamson County; and

Whereas, He is survived by his widow, the former Miss Willy Jarrard; a son, William R. Eanes of Georgetown; two daughters, Mrs. Jack Frasier of Burnet and Mrs. W. S. Lott of Georgetown; and six grandchildren; and

Whereas, It is the desire of the Senate of the Fifty-Sixth Legislature of the State of Texas to pay tribute to the memory of this distinguished citizen; now, therefore, be it

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the permanent Journal of the Senate be devoted to the recording of this Resolution; and be it, further

Resolved, That an enrolled copy of this Resolution be sent to each surviving member of E. H. Eanes' family as a token of our respect and deep sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Honorable Wallace Hughston

Senator Roberts offered the following resolution:

(Senate Resolution 490)

Whereas, In the passing of Honorable Wallace Hughston, of McKinney, Texas, from this earthly life, the people of the State of Texas, and in particular the people of Collin County and the City of McKinney, have suffered an irreparable loss; and

Whereas, The people of Texas mourn the passing of this unselfish, dedicated businessman, church, civic, and state leader, whose activities during his life have left an impression on our state; and

Whereas, Honorable Wallace Hughston was born near Plano on January 31, 1874, the son of T. F. and Ann Beverly Hughston; was educated in the Plano public schools and received a B.A. degree from the Plano Institute; married Miss Myrtle Dudley, October 12, 1898; was throughout his long and useful life an attorney, a profession which trained him for many occupations of service, including the position of County Attorney of Collin County from 1898 to 1902; and was also a director of the Prosper and Princeton Banks; and

Whereas, He served as State Senator from the 10th Senatorial District during the 44th Texas Legislature, and while a member of that body was chairman of the Internal Improvements Committee and Vice-Chairman of the Insurance Committee, as well as a member of ten other Senate Committees, and upon his resignation from that body he received the praise and best wishes of the Senate of the State of Texas; and

Whereas, He gave unceasingly of his talents and service to the Masonic Lodge, and received many Lodge recognitions; was elected to many Lodge offices, including those of Grand Master of Texas, presiding officer and President of the first Grand Masters Conference organized in Washington, D. C., and District Deputy Grand Master of the 9th Masonic District; was a Past Master of the Plano Lodge 768, as well as its first petitioner, Junior Warden, and first fully-initiated member; was a Master Mason for sixty-four years; a member of all York Rites and all Scottish Rites bodies; a 33rd Degree Mason; and had served on numerous Scottish Rites Masonry Boards; and

Whereas, He was selected many times as an official in the Methodist Church; was elected five times to the General Conference of the Methodist Church; was past President of the Lions Club and Old Settlers Picnic Association; was a director of the Federal Housing Administration of the Dallas area in 1935, on the State Board of Education from 1948 to 1951; and was a director of transportation on the Railroad Commission; and

Whereas, He was a great and good man, loyal and true to his family and friends, loved and respected by all who knew him; now, therefore, be it

Resolved, That the Senate fully recognizes his devotion to many worthy projects and his many acts of service.

To his son, Thomas D. Hughston, Dallas; two daughters, Mrs. Foy Thomas, Dallas; and Mrs. Choice McClure, McKinney; two sisters, Miss Eva Hughston and Miss Carrie Hughston, Plano; four grandsons, Thomas Dudley Hughston, Jr., Arlington; Edward Wallace Hughston, Corpus Christi; Hughston Thomas, Dallas; and Dan McClure, McKinney; and four great-grandsons, Lane, Mark and Thomas Hughston, Corpus Christi; and Stuart Thomas, Dallas; the Senate extends its most sincere sympathy; and, be it further

Resolved, That it is the desire of the Senate of the Fifty-sixth Legislature to pay tribute to this citizen and his family; that when the Senate adjourns today, it do so in honor and respect to the memory of Honorable Wallace Hughston; and that a page in the permanent Journal of the Senate be set aside for this resolution in memory of him; now, therefore, be it finally

Resolved, That enrolled copies of this resolution be forwarded to the surviving members of his family as a token of respect and sympathy.

ROBERTS
AIKIN
MOFFETT

Signed—Ben Ramsey, Lieutenant Governor; Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hazlewood, Hardeman, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Moffett and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.